

REMARKS

The present Amendment amends claims 1, 12-19 and 22 and cancels claims 7-11, 20, 21 and 23. Therefore, the present application has pending claims 1-6, 12-19 and 22. It should be noted that claims 12-19 and 22 were amended to depend from claim 1. Further, it should be noted that claims 2-6 as originally filed each depend from claim 1.

From the Office Action, particularly with respect to the Examiner's allegation of deeming the restriction requirement final, it appears that the Examiner completely misunderstands the practice regarding restrictions and elections. One telling point is where the Examiner attempts to remove claims 3-6 as an elected invention when each of these claims depend from claim 1 which the Examiner asserts reads on the elected Species 1. Claims which depend from a claim that reads on an elected species cannot be removed as not reading on the elected species since such completely contradicts clear precedent in numerous cases as to how to properly construe claims.

Thus, the Examiner is strongly urged to contact his Supervisor, Supervisory Patent Examiner (SPE) Elvin Enad so as to discuss this issue to come to a proper understanding of claim construction and election/restriction requirements. In this regard, Applicants' Attorney, the undersigned, strongly urge that a telephone conference be setup between the Examiner, SPE Enad and the undersigned, to discuss this and other issues regarding the present application. The Examiner is respectfully requested to contact Attorney' the undersigned, by telephone to schedule such interview.

In the Office Action the Examiner alleges that Fig. 6b should be designated by a legend "Prior Art". Filed on even date herewith are Proposed Drawing Corrections to add the legend "Prior Art" to Fig. 6b. Therefore, reconsideration and withdrawal of this objection is respectfully requested.

Claims 1, 2 and 23 stand rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. As indicated above, claim 23 was canceled. Therefore, this rejection with respect to claim 23 is rendered moot. Various amendments were made throughout claims 1 and 2 to bring them into conformity with the requirements of 35 USC §112, second paragraph. Therefore, Applicants submit that this rejection is overcome and should be withdrawn.

Specifically, amendments were made to claims 1 and 2 to overcome the objections noted by the Examiner in the Office Action.

The Examiner's cooperation is respectfully requested to contact Applicants' Attorney by telephone should any further indefinite matters be discovered so that appropriate amendments may be made.

Claims 1, 2 and 23 stand rejected under 35 USC §102(e) as being anticipated by Rabjohn (U.S. Patent No. 4,816,784). As indicated above, claim 23 was canceled. Therefore, this rejection with respect to claim 23 is rendered moot. This rejection with respect to claims 1 and 2 is traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in claims 1 and 2 are not taught or suggested by Rabjohn whether taken individually or in combination with any of the other references of record. Therefore,

Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

In the Office Action the Examiner alleges that Rabjohn discloses a planar transformer in an integrated circuit including first and second windings 14 and 16 having the same number of turns wherein the first and second windings in an intermingled portion have crossovers as recited in the claims. Applicants do not agree. Rabjohn discloses in each of Figs. 2 and 3a-c a planar transformer having windings 14 and 16 which allow for crossovers between the two windings at crossovers 18, 20, 26 and 28. However, at no point is there any teaching or suggestion in Rabjohn of the crossover pattern recited in the claims.

Particularly, according to the present invention for each full turn of each winding in the intermingled area the winding has one crossover of itself and two crossovers of each of the other windings having turns in the intermingled portions. Such is clearly not taught or suggested by Rabjohn. Rabjohn simply teaches that for each winding a crossover is provided with respect to each of the other windings.

Therefore, Rabjohn fails to teach or suggest that each full turn of each winding in the intermingled portion is effected by one crossing of the winding by the winding over itself and two crossings of the winding over each of the other windings having turns in the intermingled portion as recited in the claims.

Further, there is no teaching or suggestion in Rabjohn or any of the other features of the present invention as now recited in the claims particularly that the transformer is included in an integrated circuit which includes a ground shield having a plurality of substantially radially extending fingers connected by a broken ring.

It should be noted that the above described features added to claim 1 corresponds to the elected species as, for example, illustrated in Fig. 1. Fig. 1 provides an integrated circuit 2 under which lies the shield as illustrated in Fig. 7. The shield is part of the invention as illustrated in Fig. 1 and as discussed on page 6, lines 5-11 of the present application.

Thus, as is quite clear from the above, that the features of the present invention as recited in claims 1 and 2 are not taught or suggested by Rabjohn whether taken individually or in combination with any of the other references of record. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw the 35 USC §102(b) rejection of claims 1 and 2 as being anticipated by Rabjohn.

As is argued above, the restriction requirement set forth by the Examiner is completely in error and should be removed. Further, in this regard so as to save Applicants time, Applicants strongly urge the Examiner to schedule an interview with Applicants' Attorney, the undersigned, and the Examiner's Supervisor SPE Enad so as to resolve this issue expeditiously. Applicants' Attorney, the undersigned, can be reached at the telephone number indicated below.

In this regard, examination should proceed based on claims 1, 2 and 3-6 which were originally elected as reading on the elected species and claims 12-19 and 22 which were amended to now depend on claim 1. Applicants submit with respect to these claims that since they each depend from claim 1 the same arguments presented above with respect to Rabjohn apply as well to claims 3-6, 12-19 and 22.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the reference utilized in the rejection of claims 1, 2 and 23.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-6, 12-19 and 22 are in condition for allowance. Accordingly, early allowance of claims 1-6, 12-19 and 22 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (1076.40768X00).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Carl I. Brundidge
Registration No. 29,621

CIB/jdc
(703) 312-6600